September 25, 2006 Seven o'clock P.M. North Little Rock City Hall Council Chambers 300 Main Street North Little Rock, Arkansas

The regular meeting of the North Little Rock City Council was called to order at 7:00 p.m. by the honorable Mayor PATRICK HENRY HAYS. The roll having been called, and the following Aldermen answered to their names: MARTIN GIPSON, LINDA ROBINSON, OLEN THOMAS, GARY BERRY, JOHN PARKER, CHARLIE HIGHT and MURRY WITCHER, a quorum was declared (7/0). Alderman NEIL BRYANT was absent. City Clerk Diane Whitbey and Deputy City Attorney Jason Carter were also present.

The invocation was given by Alderman Parker, followed by the pledge of allegiance to the flag which was led by Alderman Berry.

On the motion of Alderman Witcher and seconded by Alderman Parker and by consent of all members present, the minutes of a regular council meeting held on Monday, September 11, 2006, were approved, accepted and filed as prepared by the City Clerk (7/0).

On the blanket motion of Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, communications # 1, 2, 3, 5, 6, 7, and 8 were accepted and filed (7/0).

- 1. Sharon Tedford, Mayor's Office memorandum re: application for on premises Restaurant Wine and Retail Beer permit for Dixie Cafe #116, 2724 Lakewood Village Drive by Gordon G. Gondek.
- 2. Alderman Murry Witcher, letters to Senator Blanche Lincoln and Senator Mark Pryor re: cosponsor S. 3742 The Freight Rail Infrastructure Capacity Expansion Act.
- 3. Bob Major (via email) letter re: Comcast versus AT&T.
- 5. Becky Taylor, Mayor's Office letter from Paul G. Berra, Senior Director of Government Affairs and Franchise Relations, Charter Communications re: Res. 06-116.
- 6. Becky Taylor, Mayor's Office letter from Tom Vale, President and CEO Deluxe Media Services, LLC re: plans to permanently shut down facility at 9201 Faulkner Lake Road, formal notice of closure under WARN Act.
- 7. Becky Taylor, Mayor's Office News Release from Battalion Chief Steve Smith, NLR Fire Department re: Fire Hydrant Testing/Inspection Schedule.
- 8. Becky Taylor, Mayor's Office letter from Scott C. Trotter, Attorney at Law, re: proposed Resolution and Ordinance concerning AT&T Arkansas.

On the motion of Alderman Gipson and seconded by Alderwoman Robinson, and by consent of all members present, communication #4 was read, accepted and filed (7/0).

4. Michael Drake, Director Main Street Argenta memorandum re: Argenta Adventure: Beam' Signing Celebration at Stephens - Dickey Park, Thursday, October 12, 2006, at 4:30 p.m.

Mayor Hays announced the special call scheduled for 7:05 p.m., September 25, 2006.

September 22, 2006
Honorable Members of the

Honorable Members of the City Council Re: Special Council Meeting

Dear Members of the City Council:

This is to advise that we have called a special Council meeting of the North Little Rock City Council for 7:05 p.m. on September 25, 2006, at City Hall, Council Chambers, North Little Rock, Arkansas. The following will be on the agenda:

1) AN ORDINANCE TO GRANT A FRANCHISE TO ALL COMPANIES THAT CURRENTLY CONDUCT, OR MAY HEREAFTER CONDUCT, THE BUSINESS OF PROVIDING TELEPHONE SERVICES IN THE CITY OF NORTH LITTLE ROCK FOR THE ESTABLISHMENT AND CONTINUED OPERATION OF THEIR RESPECTIVE TELEPHONE SYSTEMS AND ALL BUSINESS INCIDENTAL TO OR CONNECTED WITH THE CONDUCTING OF A TELEPHONE BUSINESS AND SYSTEM WITHIN THE PUBLIC PROPERTY OF THE CITY; PROVIDING FOR A FRANCHISE FEE TO BE PAID TO THE CITY; REPEALING ALL ORDINANCES AND AGREEMENTS IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

Sponsored by: Mayor Patrick H. Hays

For your information, enclosed please find an amendment for R-06-116 - A Resolution Authorizing the Mayor to Enter into an Agreement with AT&T Arkansas to Offer IP-Enabled Video Services in the City of North Little Rock - and the amended agreement which is attached as Exhibit "A" to the proposed resolution.

The law requires that you be notified of the time, place and subject matter of any specially called Council meeting. This notice does not require any special written formalities or waivers on your behalf, unless you are notified within a 24-hour period prior to the special meeting.

It is requested that each of you sign the cover letter simply to indicate that you have been informed of the nature and time of the meeting. However, please be aware that your signature is not required unless a period of less than 24 hours remains before the designated time for the meeting and you have not previously received notice.

This will evidence that I have received this notice of a special Council meeting for 7:05 p.m., Monday, September 25, 2006, at City Hall, Council Chambers, North Little Rock, and waive time of notice.

*Note:* Alderman Bryant did not sign the special call, however Alderman Witcher said he was aware of it.

Mr. Carter reviewed a revised agreement provided this date (see page 3, item 4. (d) and see page 8, item 21), the length of the contract not to exceed three (3) years. Mr. Carter referenced the Federal Communications Act and Federal Communications Commission. Cellular communications are beyond the city's franchise authority. Mr. Eddie Drilling, AT&T said to upgrade to an IPEG channel would require a \$15,000.00 to \$18,000.00 investment. On the motion of Alderman Hight and seconded by Alderman Witcher, and by consent of all members present, the agreement was amended as follows:: page 3, 4. (d) add, SHOULD EITHER PARTY SEEK TO IMPROVE ITS TRANSMISSION METHOD IN A FASHION THAT WILL SUBSTANTIALLY AFFECT THE INTEGRITY OF THE INTERNET SOURCED PEG SOLUTION (COMPATIBILITY), THE PARTIES AGREE TO NEGOTIATE IN GOOD FAITH REGARDING THE RESPONSIBILITY FOR NECESSARY COSTS OF CAPITAL IMPROVEMENTS FOR THE OTHER PARTY (7/0). On the motion of Alderman Berry and seconded by Alderman Gipson, and by consent of all members present, with the exception of Alderman Gipson who voted no, the agreement was again amended as follows:: page 8, 21. add, THE CITY COUNCIL EXPRESSLY RESERVES THE RIGHT TO INCREASE THE FEE IMPOSED IN PARAGRAPH 3 OF THIS AGREEMENT TO THAT WHICH IS IMPOSED ON OTHER VIDEO SERVICE PROVIDERS IN ORDER TO GENERALLY MAINTAIN COMPETITIVE NEUTRALITY, SO LONG AS SUCH FEE DOES NOT EXCEED THE MAXIMUM RATE AUTHORIZED UNDER SECTION 622 OF THE FEDERAL COMMUNICATIONS ACT (47 U.S.C. § 542) (6/1). Mayor Hays asked about government access channels (4 and 18) which run City Council, Quorum Court and School Board meetings. Mr. Drilling said unless restricted, these should be available. Alderman Gipson asked about AT&T's responsibility and sited language in the agreement. Mayor Hays then convened a public hearing regarding IP-Enabled Services. Mr. Drilling said people want a choice when it comes to home entertainment services along with competitive pricing and reviewed what AT&T would offer. The enhanced network would include voice and internet services, and customers would receive content from a dish and the internet. Services are available for people who are hearing impaired. Last year, AT&T gave funding to schools to help upgrade technology. Competition has made their company better. Mr. Mike Wilson, Vice President Government Affairs, Comcast of Arkansas said the agreement before the council does not offer equal competition within the city and sited information distributed to the council. Customers who have a satellite only would not have access to local emergency broadcasts. Mr. Eddie Trower, Charter Communications mentioned franchise agreements. Mayor Hays opened the floor to the public at 8:06 p.m. Erin Collins is a citizen and agreed with Mr. Wilson's comments and said they deserve a choice. Sally Porter lives in the Stone Links neighborhood and works at the Supreme Court. She said competition leads to a better service and better prices. Right now the only choice she has is Comcast. Joe Reynolds is retired from AT&T and supports their proposal. Anna Trinidad lives in an urban area of North Little Rock and advised she will not get equal coverage and AT&T should provide equal coverage to all customers. Destiny Webb said it's not right for AT&T to not offer the same services to all customers and it should be their choice. James Dietz, Real Estate Developer said competition is good for the consumer and from the technological standpoint. Durwood Laury, Sherman Park area brought petitions (which were given to Alderwoman Robinson) containing over 1,300 signatures of people who agree competition is good and equal access should be provided to everyone. He had concerns since a deadline of when services would be available had not been stated. James Ard supports the proposed agreement. Scott Trotter represents Comcast. He said AT&T could offer the same type of telephone service as offered by Comcast. The franchise fee should be applied the same as it is to other businesses. Alderman Gipson said severe weather/emergency notices are a concern and

said he thought the PEG situation had been resolved. Mr. Drilling discussed current technology. There being no one else wishing to be heard, Mayor Hays adjourned the public hearing at 8:32 p.m. and recessed the council meeting.

Mayor Hays reconvened the meeting at 8:39 p.m.

SPECIAL CALL #1 (ORDINANCE NO. 7859 - MAYOR HAYS) AN ORDINANCE TO GRANT A FRANCHISE TO ALL COMPANIES THAT CURRENTLY CONDUCT, OR MAY HEREAFTER CONDUCT, THE BUSINESS OF PROVIDING TELEPHONE SERVICES IN THE CITY OF NORTH LITTLE ROCK FOR THE ESTABLISHMENT AND CONTINUED OPERATION OF THEIR RESPECTIVE TELEPHONE SYSTEMS AND ALL BUSINESS INCIDENTAL TO OR CONNECTED WITH THE CONDUCTING OF A TELEPHONE BUSINESS AND SYSTEM WITHIN THE PUBLIC PROPERTY OF THE CITY; PROVIDING FOR A FRANCHISE FEE TO BE PAID TO THE CITY; REPEALING ALL ORDINANCES AND AGREEMENTS IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Berry and seconded by Alderman Witcher, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (7/0). On the motion of Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (7/0). The ordinance was read a third and final time. Alderman Gipson asked about Section 4 which indicated a period of time from January 1, 2007, through December 31, 2007, (for the previous calendar year) and thereafter for like periods for the Franchise Fee. On the motion of Alderman Witcher and seconded by Alderman Hight, and the roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (7/0). Note: effective after 60<sup>th</sup> day from passage.

R-06-116 (<u>RESOLUTION NO. 6998 - MAYOR HAYS</u>)

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH AT&T ARKANSAS TO OFFER IP-ENABLED VIDEO SERVICES IN THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES. A public hearing was held this date. The resolution was read. Alderman Witcher made a motion to adopt which was seconded by Alderman Gipson. On the motion of Alderman Berry and seconded by Alderman Gipson, and by consent of all members present, the previously amended agreement was accepted as amended:: to include new Exhibit "A" (7/0). On the motion of Alderman Hight and seconded by Alderman Witcher, and by consent of all members present, the amended agreement was amended as follows:: page 2, item 3. strike from subscription fees (7/0). On the motion of Alderman Gipson and seconded by Alderman Hight, the amended agreement was again amended as follows:: page 3, item 4.d. Should either party AT&T seek to improve its transmission method in a fashion that will substantially affect the integrity of the Internet sourced PEG solution (compatibility), AT&T ACCEPTS the parties agree to negotiate in good faith regarding the responsibility for necessary costs of capital improvements for the other party (7/0). On the motion of Alderman Gipson and seconded by Alderman Witcher, and by consent of all members present, the resolution and agreement were adopted as amended (7/0).

Mayor Hays recessed the council meeting at 8:59 p.m. and reconvened at 9:07 p.m.

Mayor Hays invited Mr. Bob Rhoads, Parks and Recreation Director to come forward and introduce Mr. Philip Nelley, Carter and Burgess, Inc. re: Burns Park Master Plan. Mr. Nelley provided a power point presentation and handout regarding the plan which included three phases (Analysis, Conceptual and Master Plan). The presentation included existing conditions and recreational areas, site photos, opportunities and constraints - potential programming. The Conceptual Phase included a Vision Statement, Goals, and Concepts. The Final Phase included Guest Services, Destination Facilities, Group Gathering sites, Baseball Complex, Visitors Center/Environmental Learning Center, Nature Recreation, Recreational Fishing Pond, Extreme Sports Zone, Victory Plaza, Urban Waterfront and Civic Space. The estimated costs (10 - 20 year improvements) totaled \$49,159,798.00. Mayor Hays asked Mr. Carter to prepare legislation for the next council meeting regarding the Burns Park Master Plan.

# **UNFINISHED BUSINESS**

R-06-116 see above.

R-06-118 (RESOLUTION NO. 6999 - MAYOR HAYS)
A RESOLUTION APPROVING AND ADOPTING THE MULTI-JURISDICTIONAL
HAZARD MITIGATION PLAN FOR THE CITIES OF NORTH LITTLE ROCK AND LITTLE
ROCK; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Witcher and seconded by Alderwoman Robinson, and by consent of all members present, the resolution was adopted (7/0).

R-06-127 (RESOLUTION NO. 7000 - ALDERMEN WITCHER AND HIGHT)
A RESOLUTION REQUESTING THE INSTALLATION OF THREE-WAY STOP SIGNS ON KIERRE DRIVE IN THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, the resolution was amended as follows:: Section 1: delete a) b) and c) and replace with a) EAST END OF CLAYCUT AND KIERRE DRIVE, b) WEST END OF KIERRE LOOP AND KIERRE DRIVE (7/0). On the motion of Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, the resolution was adopted as amended (7/0).

# O-06-77

AN ORDINANCE ESTABLISHING A LOW INCOME ELECTRIC CUSTOMER
ASSISTANCE FUND FOR CUSTOMERS OF THE NORTH LITTLE ROCK ELECTRIC
DEPARTMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read two times on August 28, 2006, was read a third and final time September 11, 2006 and amended, was read again. A motion to adopt was made by Alderman Berry and seconded by Alderwoman Robinson. A motion to amend Section 2: c) by rounding all WHO ELECT TO ROUND THEIR and, DEVELOP A METHOD TO PERMIT CUSTOMERS TO MAKE ROUND-UP DONATIONS adopt a reasonable process to inform customers about the round up donation process to allow customers to opt out of round up donations and recoup amounts donated during the year, and Section 5: insert, INCLUDING A METHOD FOR CUSTOMERS TO CEASE MAKING DONATIONS TO THE SHARE FUND UNDER ANY DONATION OPTION THEY MAY HAVE PREVIOUSLY SELECTED was made by Alderman Berry and seconded by Alderwoman Robinson, and the following members having voted in the affirmative: Thomas, Hight and Witcher, and the following members having voted no: Gipson, Robinson, Berry and

Parker, the motion failed (3/4). The legislation was then held at the request of the sponsor, Mayor Hays.

### O-06-81 (ORDINANCE NO. 7860 - ALDERWOMAN ROBINSON)

AN ORDINANCE AMENDING NORTH LITTLE ROCK MUNICIPAL CODE § 10-41 TO REGULATE THE TETHERING OF DOGS; AND FOR OTHER PURPOSES, was read three times on August 28, 2006, and a public hearing was held September 11, 2006, was read again. On the motion of Alderwoman Robinson and seconded by Alderman Witcher, and by consent of all members present, the ordinance was amended as follows:: see highlighted copy provided this date (7/0). On the motion of Alderman Berry and seconded by Alderman Witcher, and the roll having been called, and all members present having voted in the affirmative, the ordinance was adopted as amended (7/0). Note: effective date December 1, 2006.

# O-06-87 (ORDINANCE NO. 7861 - MAYOR HAYS)

AN ORDINANCE ADOPTING A STATEMENT OF RIGHTS FOR LAW ENFORCEMENT OFFICERS OF THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Gipson and seconded by Alderman Berry, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (7/0). On the motion of Alderman Gipson and seconded by Alderwoman Robinson, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (7/0). The ordinance was read a third and final time. Mayor Hays asked Police Chief Danny Bradley to explain the statement of rights. Chief Bradley said State Law made said Statement of Rights optional to cities. Based on the intent of the Bill of Rights, and due to a disciplinary action, the change in North Little Rock's Statement was requested regarding tape recording of incidents. North Little Rock is the only city in the state of Arkansas with a Statement of Rights for Law Enforcement Officers. On the motion of Alderman Hight and seconded by Alderman Berry, and by consent of all members present, the ordinance was amended as follows:: substitute copy of Statement of Rights for Law Enforcement Officer of the City of North Little Rock, provided this date (7/0). On the motion of Alderman Berry and seconded by Alderman Hight, and by consent of all members present, the ordinance was adopted as amended (7/0). Emergency clause adopted (7/0).

# **NEW BUSINESS**

R-06-128 (RESOLUTION NO. 7001 - MAYOR HAYS)

A RESOLUTION REQUESTING THE ARKANSAS HIGHWAY AND TRANSPORTATION DEPARTMENT TO INSTALL SIGNAGE ON I-40 INDICATING CERTAIN EXITS WITH THE COMMUNITY NAMES IN ADDITION TO INTERSECTING STREETS; AND FOR OTHER PURPOSES, was read. Mayor Hays wanted to ensure that community names remained on the overhead signs at the I-40 exits leading to the Levy community, and Burns Park and Lakewood. Mr. Tim Marvin, Traffic Services Director advised Exits 152 (Camp Robinson Road) and 152B (MacArthur Drive/ Pike Avenue) would retain the Levy designation. After discussion, and on the motion of Alderman Gipson and seconded by Alderman Berry, and by consent of all members present, the resolution was adopted (7/0).

O-06-88 (ORDINANCE NO. 7862 - MAYOR HAYS)

AN ORDINANCE LEVYING A TAX ON ALL REAL AND PERSONAL PROPERTY WITHIN THE CITY OF NORTH LITTLE ROCK FOR THE POLICE PENSION AND RELIEF FUND, THE FIRE PENSION AND RELIEF FUND, THE MUNICIPAL LIBRARY FUND,

AND THE NORTH LITTLE ROCK GENERAL FUND, DECLARING AN EMERGENCY AND FOR OTHER PURPOSES, was read. On the motion of Alderman Berry and seconded by Alderman Hight, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (7/0). On the motion of Alderman Gipson and seconded by Alderman Hight, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (7/0). The roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (7/0). Emergency clause adopted (7/0).

O-06-89 (ORDINANCE NO. 7863 - ALDERMAN BRYANT)

AN ORDINANCE ALLOWING A SPECIAL USE FOR A DAY CARE CENTER IN AN R-3

ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 704 WEST 38<sup>TH</sup> STREET IN THE

CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND

FOR OTHER PURPOSES, was read. On the motion of Alderman Gipson and seconded by

Alderman Berry, and by consent of all members present, the rules were again suspended and the ordinance was placed on its second reading (7/0). On the motion of Alderman Berry and seconded by Alderwoman Robinson, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (7/0). Emergency clause adopted (7/0). (applicant: Riva Miller)

O-06-90 (ORDINANCE NO. 7864 - ALDERMAN THOMAS) AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW A USED CAR LOT AND BODY SHOP IN A C-3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 4701 EAST BROADWAY IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Thomas and seconded by Alderman Berry, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (7/0). The ordinance was read a second time. Alderman Thomas said this property has been used as a body shop for 30 - 40 years. Mr. Eugene Pate purchased the property and planned the same use. He was not aware of the special use requirement until he applied for his permit. Alderwoman Robinson said she had received petitions from people in the area opposing this use. Residents in the community are opposed to more used car lots. On the motion of Alderman Gipson and seconded by Alderman Thomas, and by consent of all members present, with the exception of Alderwoman Robinson who voted no, the rules were again suspended and the ordinance was placed on its third and final reading (6/1). The ordinance was read a third and final time. Patricia Harris lives in Rose City and recalled previous businesses located at 4701 East Broadway. She knows the applicant and asked the council to approve the special use. Bobby Taylor said he isn't against anyone. He asked how this would be different and how would the city monitor compliance with the conditions contained in the ordinance. Mr. Carter said the city could revoke the special use if conditions were violated. Ida Emerson, Glenview Neighborhood Association President said they are opposed to this special use. She and her son counted used car lots and body shops and counted 25 (on there way downtown) before they quit counting. East Broadway is a gateway to the community. She provided Alderwoman Robinson with petitions. Joe Reynolds was at the Planning Commission Meeting and said special uses have a lot of provisions/conditions, but no enforcement. Pat Brewer lives in the Glenview area and asked the council to consider opposing this use in the area. Jackie Alexander also lives in the area and said car lots have junked cars and contaminated soil and asked the council to help clean up the area. She is not opposed to inside repairs. Alderman Hight said the issue is cleaning up a ward and he has tried to accomplish the

same in Ward 4. On the motion of Alderman Thomas and seconded by Alderman Witcher, and the roll having been called, and all members present having voted in the affirmative, with the exception of Alderwoman Robinson who voted no, the ordinance was adopted (6/1). Emergency clause adopted (7/0). (applicant: Eugene Pate)

#### PUBLIC COMMENTS-----

Alderman Gipson said there are hundreds of special use permits in the city and no annual inspection and asked the council to consider legislation setting up an annual inspection and fee. Alderman Gipson discussed used car lots and the definition of the same. Alderman Gipson said an individual could park a car at their home or business during their work hours with a for sale sign. Alderman Parker said initial inspections need to be made on special use permits before the permit is issued to ensure that requirements have been met. Alderman Gipson asked for help establishing language restricting vehicles from being parked on unpaved surfaces within the city (and referenced the one adopted for the Argenta Historic District) and coming up with a process wherein people would petition the city council. Alderman Hight reviewed the schedule for the Big Dam Bridge Celebration and 100 mile bicycle ride this weekend. A special jersey was created. Alderman Hight presented Mayor Hays with a jersey. The jersey is \$50.00. Mayor Hays advised he will be out of town attending a Public Power Association meeting on October 9 and asked if council members had a conflict with rescheduling the City Council meeting from October 9 to October 12. After discussion, it was agreed the meeting would remain on October 9. Mr. Ard thanked the council for passing Mr. Pate's legislation. Mr. Ard noted several candidates for Alderman in the audience. Mr. Reynolds said property at McCain and Ridge Road still needs to be cleaned up. Ms. Harris spoke again regarding property in Rose City and said she lets people know she will stay after them if they do not follow the rules.

There being no further business to come before the Council, and on the motion of Alderman Gipson and seconded by Alderwoman Robinson, and by consent of all members present, the meeting adjourned at 10:45 p.m. (7/0), until the next regular meeting to be held on Monday, October 9, 2006, at seven o'clock p.m. in the City Council Chambers in City Hall, located at 300 Main Street, North Little Rock, Arkansas.

APPROVED: MAYOR PATRICK HENRY HAYS ATTEST: DIANE WHITBEY, CITY CLERK